

**Federal Defenders
OF NEW YORK, INC.**

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By ECF

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

**Re: United States v. Donnell Russell
20 CR 538 (PGG)**

Dear Judge Gardephe:

With the consent of the Government, I write to request an adjournment of Mr. Russell's trial to the third quarter of 2022, with a preference for the last half of July 2022. I have a concentration of hearings and trials for in-custody clients in early 2022, including one trial set for February 1 for a client who is in-custody at the MDC. To ensure that I have adequate time to prepare Mr. Russell's defense, I request an adjournment to later in the year in 2022. As noted above, the Government does not oppose this request. Moreover, Mr. Russell prefers an adjournment of the January 18 trial date.

Mr. Russell is out of custody and lives between Chicago and California. Trial and trial preparation would require Mr. Russell's travel to the Southern District of New York which at this time poses COVID-safety concerns and complications for travel and courtroom entry. Ideally, the level of community transmission in both New York and Chicago will be significantly lower later in 2022 making travel and in-person preparation safer for all parties.

The Government requests that time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), between January 18, 2022 and the next trial date. The defense consents to this request.

Respectfully submitted,

/s/
Zawadi Baharanyi
Assistant Federal Defender
917-612-2753 (c)

cc: AUSA Peter J. Davis.